OIPE JC59 OCT 29 2004 PATENT & TRADEMARK OFFICE

OPTIS.085A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Braig et al.
App. No.	:	10/826,004
Filed	:	April 15, 2004
For	:	SYSTEM AND METHOD FOR MANAGING A CHRONIC MEDICAL CONDITION
Examiner	:	Unknown

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer**

No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Optiscan Biomedical Corporation

Dated: 10-19-04

By: _____
James R. Braig

Title: Chief Technical Officer

Address: 1105 Atlantic Avenue, Suite 101, Alameda, CA 94501

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OIPE
OCT 29 2004
PATENT & TRADEMARK OFFICE
JC59

ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Alameda } SS.

On October 19, 2004 (DATE) before me, Jennifer Villavert Le (NOTARY),
personally appeared James R. Braig (SIGNER(S))

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

JENNIFER VILLAVERT LE
Comm. # 1342801
NOTARY PUBLIC - CALIFORNIA
Alameda County
My Comm. Expires Feb. 9, 2006

WITNESS my hand and official seal.

Jennifer Villavert Le
NOTARY'S SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☒ CORPORATE OFFICER
CTO
TITLE(S)
☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

DESCRIPTION OF ATTACHED DOCUMENT

Est. Assignee... Power of Attorney
TITLE OR TYPE OF DOCUMENT

2
NUMBER OF PAGES

April 15, 2004
DATE OF DOCUMENT

OPTIS 085A
OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
OPTISCAN BIOMEDICAL CORP.

RIGHT THUMBPRINT OF SIGNER

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COPY
DO NOT RECORD

ASSIGNMENT

WHEREAS, We, James R. Braig, a US citizen, residing at 280 Mountain Avenue, Piedmont, CA 94611, Peter Rule, a US citizen, residing at 24183 Hillview Road, Los Altos, CA 94024, Michael A. Munrow, a US citizen, residing at 2718 Belmont Canyon Rd., Belmont, CA 94002, Philip C. Hartstein, a US citizen, residing at 171 Bryant St., Apt. G, Palo Alto, CA 94301, have invented certain new and useful improvements in a SYSTEM AND METHOD FOR MANAGING A CHRONIC MEDICAL CONDITION for which we have filed an application for Letters Patent in the United States, Application No. 10/826,004 Filed on April 15, 2004;

AND WHEREAS, OptiScan Biomedical Corporation (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 1105 Atlantic Avenue, Suite 101, Alameda, CA 94501, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar ($1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of OCT, 2004

James R. Braig

STATE OF California }
} ss.
COUNTY OF Alameda }

On Oct. 19, 2004 before me, Jennifer Villavert Le, personally appeared James R. Braig personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity~~(ies)~~, and that by his signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

JENNIFER VILLAVERT LE
Comm. # 1342801
NOTARY PUBLIC - CALIFORNIA
Alameda County
My Comm. Expires Feb. 9, 2006

Jennifer Villavert Le
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of October, 2004

Peter Rule

STATE OF)
} ss.
COUNTY OF)

On _____, before me, _____, personally appeared Peter Rule personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

Michele Saubach 10/19/04
subscribing witness

SUBSCRIBING WITNESS JURAT

State of California
County of Alameda } SS.

On October 19, 2004 (DATE), before me, the undersigned, a notary public for the state, personally appeared Michele Laubach (SUBSCRIBING WITNESS'S NAME), personally known to me ~~(or proved to me on the oath of _____ (CREDIBLE WITNESS'S NAME), who is personally known to me)~~ to be the person whose name is subscribed to the within instrument, as a witness there to, who, being by me duly sworn, deposed and said that ~~he/~~she was present and saw Peter Rule (NAME(S) OF PRINCIPAL(S)) the same person~~(s)~~ described in and whose name~~(s)~~ ~~is/are~~ subscribed to the within and annexed instrument in his~~/her/their~~ authorized capacity~~(ies)~~ as (a) party~~(ies)~~ thereto, execute the same, and that said affiant subscribed ~~his/~~her name to the within instrument as a witness at the request of

Peter Rule (NAME(S) OF PRINCIPAL(S)).

WITNESS my hand and official seal.

Jennifer Villavert Le (NOTARY'S SIGNATURE)

JENNIFER VILLAVERT LE
Comm. # 1342801
NOTARY PUBLIC - CALIFORNIA
Alameda County
My Comm. Expires Feb. 9, 2006

OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☐ INDIVIDUAL
- ☐ CORPORATE OFFICER

_____ (TITLE(S))

- ☐ PARTNER(S)
- ☐ ATTORNEY-IN-FACT
- ☐ TRUSTEE(S)
- ☐ GUARDIAN/CONSERVATOR
- ☒ SUBSCRIBING WITNESS
- ☐ OTHER: _____

ABSENT SIGNER (PRINCIPAL) IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
OPTISCAN BIOMEDICAL CORP.

DESCRIPTION OF ATTACHED DOCUMENT

Assignment (TITLE OR TYPE OF DOCUMENT)
Page 3 of 5 (NUMBER OF PAGES)
April 15, 2004 (DATE OF DOCUMENT)
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RIGHT THUMBPRINT OF SIGNER

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of October, 2004

Michael A. Munrow

STATE OF California }
} ss.
COUNTY OF Alameda }

On Oct. 19, 2004, before me, Jennifer Villavert Le, personally appeared Michael A. Munrow personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(~~ies~~), and that by his signature(~~s~~) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

JENNIFER VILLAVERT LE
Comm. # 1342801
NOTARY PUBLIC - CALIFORNIA
Alameda County
My Comm. Expires Feb. 9, 2006

Jennifer Villavert Le

Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand ~~and seal~~ this 19th day of October, 2004

Philip C. Hartstein

STATE OF)
} ss.
COUNTY OF)

On _____, before me, _____, personally appeared Philip C. Hartstein personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Michele Laubach 10/19/04
~~Notary Signature~~
subscribing witness

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SUBSCRIBING WITNESS JURAT

State of California
County of Alameda } SS.

On October 19, 2004 (DATE), before me, the undersigned, a notary public for the state, personally appeared Michele Laubach (SUBSCRIBING WITNESS'S NAME), personally known to me ~~(or proved to me on the oath of _____ (CREDIBLE WITNESS'S NAME), who is personally known to me)~~ to be the person whose name is subscribed to the within instrument, as a witness there to, who, being by me duly sworn, deposed and said that ~~he/~~she was present and saw Philip C. Hartstein (NAME(S) OF PRINCIPAL(S)) the same person~~(s)~~ described in and whose name~~(s)~~ is~~/are~~ subscribed to the within and annexed instrument in his~~/her/their~~ authorized capacity~~(ies)~~ as (a) party~~(ies)~~ thereto, execute the same, and that said affiant subscribed ~~his~~/her name to the within instrument as a witness at the request of

Philip C. Hartstein
NAME(S) OF PRINCIPAL(S).

JENNIFER VILLAVERT LE
Comm. # 1342801
NOTARY PUBLIC - CALIFORNIA
Alameda County
My Comm. Expires Feb. 9, 2006

WITNESS my hand and official seal.

Jennifer Villavert Le
NOTARY'S SIGNATURE

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- ☐ CORPORATE OFFICER

_____ TITLE(S)

- ☐ PARTNER(S)
- ☐ ATTORNEY-IN-FACT
- ☐ TRUSTEE(S)
- ☐ GUARDIAN/CONSERVATOR
- ☒ SUBSCRIBING WITNESS
- ☐ OTHER: _____

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OPTISCAN BIOMEDICAL CORP.

RIGHT THUMBPRINT OF SIGNER

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